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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	2:17-CR-099-APG-(VCF)
)	
Plaintiff,)	
)	
v.)	Preliminary Order of Forfeiture
)	
KHACHATUR ZAKARYAN,)	
a/k/a Khatchatur Zakaryan,)	
)	
Defendant.)	

This Court finds that defendant Khachatur Zakaryan, a/k/a Khatchatur Zakaryan, pled guilty to Counts One through Nine of a Nine-Count Criminal Indictment charging him in Count One with Possession of Fifteen or More Counterfeit or Unauthorized Access Devices in violation of Title 18, United States Code, Section 1029(a)(3); in Counts Two, Four, Six, and Eight with Production, Use, or Trafficking of Counterfeit Access Device in violation of Title 18, United States Code, Section 1029(a)(1); and in Counts Three, Five, Seven, and Nine with Aggravated Identity Theft in violation of Title 18, United States Code, Section 1028A(a)(1) with (c)(4). Criminal Indictment, ECF No. 13; Change of Plea, ECF No. __; Memorandum in Support of Guilty Plea Without Plea Agreement, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Memorandum in Support of Guilty Plea Without Plea Agreement and the Forfeiture Allegation of the Criminal

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1 Indictment and the offenses to which defendant Khachatur Zakaryan, a/k/a Khatchatur Zakaryan,
2 pled guilty.

3 The following property and money judgment are (1) any property, real or personal, which
4 constitutes or is derived from proceeds traceable to violations of Title 18, United States Code,
5 Sections 1028A(a)(1) with (c)(4) and 1029(a)(1) and (a)(3), or a conspiracy to commit such
6 offenses; (2) any property constituting, or derived from, proceeds obtained directly or indirectly,
7 as the result of violations of Title 18, United States Code, Sections 1028A(a)(1) with (c)(4) and
8 1029(a)(1) and (a)(3), or a conspiracy to violate such offenses; and (3) any personal property
9 used or intended to be used to commit the violations of Title 18, United States Code, Sections
10 1028A(a)(1) with (c)(4) and 1029(a)(1) and (a)(3), and are subject to forfeiture pursuant to Title
11 18, United States Code, Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c);
12 Title 18, United States Code, Section 982(a)(2)(B); Title 18, United States Code, Section
13 1029(c)(1)(C) and (c)(2); and Title 21, United States Code, Section 853(p): Any and all
14 fraudulent access devices including, but not limited to, debit cards and credit cards (all of which
15 constitutes property)

16 and an in personam criminal forfeiture money judgment of \$12,579.52, and that the
17 property will not be applied toward the payment of the money judgment.

18 The in personam criminal forfeiture money judgment complies with *Honeycutt v. United*
19 *States*, ___ U.S. ___, 137 S. Ct. 1626 (2017).

20 This Court finds the United States of America is now entitled to, and should, reduce the
21 aforementioned property to the possession of the United States of America.

22 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
23 the United States of America should seize the aforementioned property.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States
25 recover from Khachatur Zakaryan, a/k/a Khatchatur Zakaryan, an in personam criminal
26 forfeiture money judgment of \$12,579.92.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory rights,
2 ownership rights, and all rights, titles, and interests of Khachatur Zakaryan, a/k/a Khatchatur
3 Zakaryan, in the aforementioned property is forfeited and is vested in the United States of
4 America and shall be safely held by the United States of America until further order of the Court.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
6 America shall publish for at least thirty (30) consecutive days on the official internet government
7 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
8 property, state the time under the applicable statute when a petition contesting the forfeiture must
9 be filed, and state the name and contact information for the government attorney to be served
10 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
11 Section 853(n)(2).

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
13 entity who claims an interest in the aforementioned property must file a petition for a hearing to
14 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
15 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
16 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
17 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
18 facts supporting the petitioner's petition and the relief sought.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
20 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
21 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
22 sixty (60) days after the first day of the publication on the official internet government forfeiture
23 site, www.forfeiture.gov.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
25 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
26 the following address at the time of filing:

1 Michael A. Humphreys
2 Assistant United States Attorney
3 Daniel D. Hollingsworth
4 Assistant United States Attorney
5 501 Las Vegas Boulevard South, Suite 1100
6 Las Vegas, Nevada 89101.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
8 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
9 agency following publication of notice of seizure and intent to administratively forfeit the above-
10 described property.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
12 of this Order to all counsel of record and three certified copies to the United States Attorney's
13 Office, Attention Asset Forfeiture Unit.

14 DATED this 7th day of June, 2018.

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16 UNITED STATES DISTRICT JUDGE
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